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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,463	11/08/2001	Yasumasa Goto	P 284095	5098
909	7590	11/26/2003	5JG32929-USA-AT	
EXAMINER				
NGUYEN, JOSEPH H				
ART UNIT			PAPER NUMBER	
2815				

DATE MAILED: 11/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/986,463

Applicant(s)

GOTO, YASUMASA

Examiner

Joseph Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by figure 10 of the acknowledged prior art (APA).

Regarding claim 1, applicant disclosed on figure 10 of (APA) a light emitting display device comprising a plurality of pixels disposed in a matrix form, said pixels comprising a plurality of first electrodes (a layer right underneath layer 113) electrically isolated from each other, second electrodes (a layer right above layer 113) provided opposite to said first electrodes wherein one of said first and second electrodes is arranged in a light projecting surface, and a light emitting device held between said first and second electrodes, said light emitting device including at least a light emitting layer 113; and a light reflecting surface 115 provided adjacent said light emitting layer and between adjacent ones of said pixels to reflect light traveling from one of said pixels to adjoining toward said light projecting surface.

Regarding claims 2-5, applicant disclosed on figure 10 of (APA) all the structures set forth in the claimed invention.

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Regarding claim 6, applicant disclosed on figure 10 of (APA) a light emitting display device comprising a substrate; pixels provided in a matrix form on said substrate, said pixels each including first electrodes (a layer right underneath layer 113) electrically isolated from each other, second electrodes (a layer right above layer 113) provided opposite to said first electrodes, wherein said first electrodes or said second electrodes are optically transmissible and define a light projecting surface, and luminous layer 113 held between said first and second electrodes; a light reflecting surface 115 provided adjacent said luminous layer and between adjacent ones of said pixels to reflect light traveling from the one of said pixels to adjoining pixels toward said light projecting surface; and thin film transistors 105 connected to said pixels and provided between said pixels and said light reflecting surfaces.

Regarding claims 7 and 10, applicant disclosed on figure 10 of (APA) all the structures set forth in the claimed invention.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over figure 10 of (APA) as applied to claims 6 and 7 above, and further in view of Nishio et al.

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Regarding claims 8 and 9, applicant disclosed on figure 10 of (APA) substantially all the structures set forth in the claimed invention except said luminous layer made of highly polymerized compound. However, Nishio et al. discloses on figure 3 said luminous layer 5 made of highly polymerized compound (col. 7, lines 5-17). In view of such teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify figure 10 of (APA) by having said luminous layer made of highly polymerized compound for the purpose of improving the light emission efficiency in a light emitting display device.

### ***Response to Arguments***

Applicant's arguments filed on 10/21/2003 have been fully considered but they are not persuasive.

With respect to claims 1-5, applicant argues that (APA) does not disclose the light reflecting surface is located adjacent to the light-emitting layer. However, in figure 10 of (APA) layer 115 as a cathode is also considered a light-reflecting surface. Note that the cathodes of (APA) and figure 4 (a) of the instant application are both labeled 115 indicating that they are the same material. As such, they should function in the same manner. Further, the layer 115 is clearly adjacent to the light-emitting layer 113 therein. Therefore, all the structures of the claimed invention are disclosed in figure 10 of (APA).

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Nguyen whose telephone number is (703) 308-1269. The examiner can normally be reached on Monday-Friday, 7:30 am- 4:30 pm


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (703) 308-2772. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7382 for regular communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JN

November 19, 2003

  
GEORGE ECKERT  
PRIMARY EXAMINER